

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ANTHONY A. BUTLER,

Plaintiff,

v.

ORDER

23-cv-864-wmc

THE COUNTY OF EAU CLAIRE, WI, DAVE RIEWESTHAL,
OTTO, DACHEL, HURETA, POLLARD, ROSENBAUN,
PECK, RUSSELL, MILLER, REAGAN, and SUE,

Defendants.

Defendant Susan Koch (“Sue”) has filed a “Notice of Suggestion of Bankruptcy” for Wellpath, LLC (dkt. #17) and, in relevant part, the February 19, 2025, “Amended Final Order (I) Enforcing the Automatic Stay to Non-Debtor Defendants on a Final Basis, and (II) Granting Related Relief” issued by the Bankruptcy Court for the Southern District of Texas. (Dkt. #17-3.) The Bankruptcy Court ordered that,

Any claims or causes of action that have been or may be asserted against any of the . . . *current or former employees of the Debtor to the extent the Debtors are not named defendants in the underlying lawsuit*, are stayed pursuant to section 362, and to the extent applicable section 105, of the Bankruptcy Code on an final basis until the earlier of (a) the effective date of a confirmed chapter 11 plan; (b) dismissal of the chapter 11 cases of the Debtors; or (c) April 30, 2025.

(Dkt. #17-1, at 3-4 (emphasis added).) Because Koch’s counsel represents that she is a current/former employee of Wellpath (dkt. #17, at 5), she is subject to the stay. Moreover, the court takes notice that the Bankruptcy Court issued an “Order Further Extending the Automatic Stay to Non-Debtor Defendants” through May 7, 2025. *In re Wellpath Holdings, Inc.*, Case No. 24-90533, dkt. #2592 (May 1, 2025). Accordingly, the court will stay this case through May 7, 2025. The court also notes that in other, similar cases, defense counsel has sought 14 days to provide a status update on the bankruptcy case and potential

discharge of cases with a date of injury/loss before November 12, 2024. The court will allow Koch until May 21, 2025, to provide this court with such an update.

ORDER

IT IS ORDERED that:

- 1) This case is STAYED until May 7, 2025.
- 2) Defendant Susan Koch must provide this court with an update on the status of the bankruptcy case and any discharge by May 21, 2025.

Dated this 5th day of May, 2025.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge